

**RULES
OF
DEPARTMENT OF SAFETY
MOTOR VEHICLE DIVISION**

**CHAPTER 1340-5-5
DISMANTLED VEHICLES**

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1340-5-5-.01 DEFINITIONS.

- (1) For purposes of additional definitions for rebuilt motor vehicles under T.C.A. §55-3-205,
- (a) Major components of a pick-up truck are as follows:
1. Cowl or firewall;
 2. Front-end assembly;
 3. Cab;
 4. Bed;
 5. Frame, or in the case of a unitized body, the supporting structure which serves as the frame; and
 6. Any combination of five (5) minor components.
- (b) Major components of a truck tractor are as follows:
1. Cowl or firewall;
 2. Front-end assembly;
 3. Cab;
 4. Engine;
 5. Frame; and
 6. Any combination of five (5) minor components.
- (c) Major components of a motorcycle are as follows:
1. Front fork;
 2. Frame;
 3. Engine.
- (2) For purposes of additional definitions for rebuilt motor vehicles under T.C.A. §55-3-205,

(Rule 1340-5-5-.01, continued)

(a) Minor components of a pick-up truck are as follows:

1. Each door;
2. Hood;
3. Cab clip;
4. Each fender;
5. Tailgate;
6. Each bumper;
7. Motor or engine;
8. Transmission/Transaxle; and
9. Interior.

(b) Minor components of a truck tractor are as follows:

1. Each door;
2. Hood;
3. Each fender;
4. Each bumper;
5. Transmission;
6. Rear axle; and
7. Interior.

(c) Minor components of a motorcycle are as follows:

1. Each wheel;
2. Transmission;
3. Handlebars;
4. Fuel tank.

Authority: T.C.A. §§55-2-103, 55-3-205, and 67-1-102. **Executive Order Number 37.** **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-5-.02 PERMIT TO DISMANTLE.

- (1) Each dealer or person, before dismantling or wrecking any motor vehicle, shall apply to the Department of Safety for a permit to dismantle on a form to be supplied by the Commissioner. This application shall be supported by the motor vehicle certificate of title properly assigned to the applicant or, if the vehicle was owned by a resident of a non-title state, by a bill of sale or evidence of current registration. The application shall include an odometer statement, if applicable. The application shall indicate whether the vehicle was subject to collision, fire, water damage and/or other damage. In the case of water damage, the application shall indicate the level of water in the vehicle. Upon receipt of the proper documentation, a permit authorizing the dealer or person to dismantle or wreck the motor vehicle shall be issued.
- (2) An insurance company which obtains title to a motor vehicle as a result of paying a total loss claim resulting from collision, fire or water damage shall obtain a permit to dismantle for such vehicle. The provisions of this paragraph shall not apply to vehicles ten (10) years old or older with a value of one thousand five hundred dollars (\$1,500) or less or with damage which requires the replacement of four (4) or fewer minor components. Transfer of ownership of these vehicles shall be made by endorsement on the certificate of title. When transferring ownership of such vehicle, the insurance company shall indicate on the title that the vehicle is being transferred pursuant to T.C.A. §55-3-206. The insurance company shall also indicate whether the vehicle was subject to collision, fire, water and/or other damage. In the case of water damage, the insurance company shall indicate the level of water in the vehicle.

Authority: T.C.A. §§55-2-103, 55-3-120, 55-3-202, 55-3-206, and 67-1-102. *Executive Order Number 37.*
Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-5-.03 APPLICATION FOR CERTIFICATE OF TITLE FOR REBUILT VEHICLE.

- (1) Any person who has rebuilt a vehicle for which the certificate of title or other ownership documents have been surrendered and a permit to dismantle has been issued as herein provided shall, prior to the sale or operation of such vehicle, make application to the office of the county clerk or directly to the Department of Safety for a new certificate of title.
- (2) This application must include or be supported by the following:
 - (a) The permit to dismantle or like foreign certificate.
 - (b) A color photograph of the vehicle in wrecked or stripped condition. Such photograph must clearly show the condition of the vehicle prior to rebuilding.
 - (c) If the application is for title only, it shall be accompanied by a sworn statement that resale is intended.
 - (d) A sworn statement that the application is not being filed to circumvent the title requirements of any foreign state.
 - (e) An invoice for all major or minor replacement parts (as defined in T.C.A. §55-3-132). If the parts are used parts, the invoice shall state the complete name and address of the vendor and the VIN of the vehicle or vehicles from which the part or parts were taken.
 - (f) A certificate from the rebuilder that the vehicle has been repaired in accordance with the manufacturer's specifications.
 - (g) An odometer statement, if applicable.

(Rule 1340-5-5-.03, continued)

- (h) The driver license number of an individual applicant or, if the applicant is a business, the sales tax number or Federal Employer Identification Number of the business.
- (3) The Department may request information in addition to that required by paragraph (2), where such additional information is deemed necessary by the Department in order properly to determine the applicant's eligibility for title. This information may include records of insurance companies regarding damage claims on the vehicle or any other information deemed necessary by the Commissioner.

Authority: T.C.A. §§55-2-103, 55-3-206, 55-3-207, and 67-1-102. *Executive Order Number 37.* **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-5-.04 REASONS FOR NON-COMPLIANCE. Whenever any person is, because of conditions beyond his control, unable to fully comply with these rules and/or requirements of the Tennessee Motor Vehicle Title and Registration Law, he shall nevertheless comply to the extent possible and set forth the reasons for his inability to comply in a written statement attached to the application for certificate of title or permit to dismantle.

Authority: T.C.A. §§55-2-103 and 67-1-102. *Executive Order Number 37.* **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-5-.05 RECORDS. Every dealer, including any person or junk dealer, who purchases motor vehicles for dismantling shall maintain for three (3) years a legible record, in written or electronic form, of every vehicle bought or sold, dismantled or exchanged by him, or received by him for sale, exchange, or dismantling, which shall be open to inspection by a representative of the Department during reasonable business hours.

Authority: T.C.A. §§55-2-103, 55-3-202, and 67-1-102. *Executive Order Number 37.* **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.

1340-5-5-.06 WATER DAMAGE FOR REBUILT VEHICLE.

- (1) There shall be a brand affixed to a certificate of title issued by the Department of Safety for a motor vehicle, which has sustained substantial water damage. For the purpose of this rule and T.C.A. §55-3-210, a vehicle has sustained substantial water damage if it has water damage above the bottom of the dashboard or instrument panel or any salt water damages whatsoever.
- (2) If a vehicle has been previously issued a water damage branded title by a foreign state, then such brand shall be carried over to any Tennessee title issued for such vehicle.

Authority: T.C.A. §§55-2-103, 55-3-210, and 67-1-102. *Executive Order Number 37.* **Administrative History:** Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990.